

Planning Commission

Staff Report

April 20, 2006



Case:	15-01-06
Project Name:	Mockingbird Valley Neighborhood Plan
Applicant:	Louisville Metro Government
Representative:	Louisville Metro Planning and Design Services
Jurisdiction:	Louisville Metro
Council District:	7 (Fleming) 9 (Ward-Pugh)
Case Manager:	Ken Baker, AICP

Request: Review the proposed draft of the Mockingbird Valley Neighborhood Plan and its Executive Summary

Background

The pre-planning phase for the Mockingbird Valley Neighborhood Plan began in the Fall of 2004, with Planning and Design Services staff leading this effort, working in conjunction with offices of Metro Council District 7 Ken Fleming and District 9 Tina Ward-Pugh. The task force for the Mockingbird Valley plan was appointed by Mayor Jerry Abramson in October 2004, and work began on the development of the plan. The task force participated in the selection process of the consultant for this plan, Sabak and Wilson. The first official task force meeting, after the hiring of the consultant, was held in May 2005. The task force met monthly, with Planning and Design staff and the consultant. A neighborhood public meeting was held on October 3, 2005 to introduce the plan to the neighborhood, and on February 27, 2006 to present the draft of the final neighborhood plan.

In accordance with Planning and Design's neighborhood plan model, it is mandatory that every neighborhood plan contain a Land Use/Community Form and a Mobility component. This plan also contains an optional component, focusing on Historic Preservation. Each of these components presents recommendations for the Mockingbird Valley neighborhood.

The purpose of the plan was to identify the special characteristics that make up this neighborhood and develop land use policies and standards to ensure that it

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remains a historic, environmental, and cultural resource not only for the residents of the neighborhood, but for all of Jefferson County.

Staff Recommendation

Recommendations from the Mockingbird Valley plan can be grouped into three categories: Cornerstone 2020/Land Development Code; Infrastructure/Capital Improvements; and Policy-Programmatic. Only the recommendations related to Cornerstone 2020 and Land Development Code are included in the Executive Summary of the plan and are ultimately intended for adoption as an amendment to Cornerstone 2020. All of the recommendations are compiled in the Plan Implementation section of the Mockingbird Valley Plan (page 19).

Cornerstone 2020/Land Development Code Recommendations:

The Mockingbird Valley plan lists fifteen (15) recommendations from its three components (Land Use/Community Form, Mobility, and Historic Preservation) that are related to Cornerstone 2020/Land Development Code.

Staff Comments/Recommendations:

The above referenced recommendations are recommended for approval by staff with the following staff comments:

Recommendation 2 states: *“Re-zone portions of the study area from R-4 to R-1 zoning as shown on the Area to be Re-Zoned map on page A3 to ensure more compatible density.”*

Staff supports this general rezoning concept for this area. R-1 zoning exists in the neighborhood, adjacent to the proposed rezoning area, and the R-1 classification is consistent with the existing intensity in the proposed area of rezoning.

Staff received a letter from the attorney representing Stewart Ogden, who owns the property located at 402 Mockingbird Valley Road which is included in the property recommended for rezoning from R-4 to R-1. This property previously was approved for a single family residential subdivision under Docket No. 10-19-96. A section of that subdivision was developed, however a 19-acre parcel remains containing the existing home resided in by Mr. Ogden when he is in town. The approved preliminary subdivision plan for this land has now expired, and Mr. Ogden will be required to file a new application for a preliminary subdivision plan for this parcel. The attached letter outlines Mr. Ogden’s plan to develop this property into a total of ten lots and his request for his property to not be included in the re-zoning recommendation. The Commission may wish to consider these circumstances and Mr. Ogden’s comments regarding this site. Of course, the actual re-zoning of any land in this neighborhood will be considered

in an areawide re-zoning process that would occur after the neighborhood plan's adoption.

Recommendations 4 through 8 address tree preservation and tree planting recommendations appropriate for the existing natural habitat of this area.

Recommendations 9 through 13 generally address the design, detail, and orientation of potential new residential development along Mockingbird Valley Road.

Mobility Recommendation 1 states: *"Assure that existing private roads remain private and allow new private roads to be developed."*

As the plan discusses, private roads are more the rule, rather than the exception throughout this neighborhood. Although this is not the typically preferred mode of roadway development, it seems to work and to be appropriate in this neighborhood. This recommendation has been reviewed, without objection, by Metro Public Works.

Historic Resources Recommendation 1 states: *"Create a scenic roadway designation for all of Mockingbird Valley Road to ensure future protection for the rural character of the road."*

Staff supports this recommendation in that it supports the overall preservation goals of this plan, and it complements the neighborhood's efforts for designation to the National Register of Historic Places.

Infrastructure/Capital Improvements Recommendations:

The Mockingbird Valley plan lists sixteen (16) recommendations from its three components (Land Use/Community Form, Mobility, and Historic Preservation) that are related to Infrastructure/Capital Improvements.

Staff Comments/Recommendations:

The above referenced recommendations are recommended for approval by staff, with the following revisions/comments.

Recommendation 1 states: *"Ensure that Mockingbird Valley Road remains a two-lane scenic roadway."*

This is a crucial element for the preservation of the character of this neighborhood. For the purpose of review of future development proposals, staff suggests that this recommendation be classified as a Land Use/Community Form recommendation, and therefore become a part of the Executive Summary of the Plan and adopted as an amendment to Cornerstone 2020.

Recommendation 4 states: “Encourage the multi-modal use of secondary local and private roads as labeled on the Street Classifications Map (page 17) by bicyclists, walkers and joggers.”

Recommendation 4 supports Recommendation 6, which recommends no sidewalks along Mockingbird Valley Road. Staff suggests Recommendations 4 be revised to include Mockingbird Valley Road to be encouraged for multi-modal use (along with the local and private roads). The primary access to the local and private roads for bicyclists, walkers, and joggers is by way of Mockingbird Valley Road.

Recommendation 5 states: *“Permit no curbs or gutters along Mockingbird Valley Road. Encourage the use of native materials rather than concrete curbs where necessary in adjacent developments.”*

Staff suggests that this recommendation be made into two recommendations. *“Permit no curbs or gutters along Mockingbird Valley Road”* should be classified as a Land Use/Community Form recommendation, and therefore become a part of the Executive Summary of the Plan and adopted as an amendment to Cornerstone 2020. *“Encourage the use of native materials rather than concrete curbs where necessary in adjacent developments”* should remain a Mobility Recommendation.

Recommendation 6 states: *“Require no sidewalks along Mockingbird Valley Road. The design standards and recommendations contained herein shall be justification for a waiver.”*

Staff suggests that Recommendation 6 be classified as a Land Use/Community Form recommendation, and therefore become a part of the Executive Summary of the Plan and adopted as an amendment to Cornerstone 2020.

Recommendations 10 through 14 focus on future improvements planned for Interstate 71. These recommendations would be forwarded to the Kentucky Department of Transportation for its consideration with the goal to mitigate the impacts of that construction process on the Mockingbird Valley neighborhood.

Policy-Programmatic Recommendations:

The Mockingbird Valley plan lists four recommendations from Land Use/Community Form and Historic Preservation components that are related to Policies and Programs.

Staff Comments/Recommendations:

The above referenced recommendations are recommended for approval by staff with the following comments.

Land Use/Community Form Recommendation 1 states: *“Establish a methodology for communication with utility companies regarding future expansion within the study area and develop practical solutions to minimize construction impacts.”*

This recommendation supports developing a better system of communication between Metro agencies and utility companies for the benefit of this neighborhood and the community as a whole.

Historic Resources Recommendation 1 states: *“Support the designation of the Mockingbird Valley Neighborhood to the national Register of Historic Places.”*

Since its initiation, this neighborhood plan process has been proceeding in concert with the neighborhood’s efforts to seek a National Register of Historic Places Nomination for the entire Mockingbird Valley Neighborhood. These two processes have worked hand-in-hand with each other, and this recommendation supports that coordinated effort.

Summary of Staff’s Recommendations for Revisions:

Infrastructure/Capital Projects Recommendations:

- *Categorize Mobility Recommendation 1 (Ensure that Mockingbird Valley Road remains a two-lane scenic roadway.) as a Land Use/Community Form recommendation; list this recommendation under Mobility in the Summary of Recommendations in the Executive Summary.*
- *Amend Mobility Recommendation 4 to state: “Encourage the multi-modal use of Mockingbird Valley Road, as well as local and private roads, as labeled on the Street Classifications Map (page 17), by bicyclists, walkers and joggers.”*
- *Amend Mobility Recommendation 5 into two recommendations: “Permit no curbs or gutters along Mockingbird Valley Road” should be categorized as a Land Use/community Form recommendation and listed under Mobility in the Summary of Recommendations in the Executive Summary. Mobility Recommendation 5 should state: “Encourage the use of native materials rather than concrete curbs where necessary in adjacent developments.”*
- *Categorize Mobility Recommendation 6 (Require no sidewalks along Mockingbird Valley Road. The design standards and recommendations contained herein shall be justification for a waiver.) as a Land Use/Community Form recommendation; list this*

*recommendation under Mobility in the Summary of
Recommendations in the Executive Summary.*

Staff Findings

The following Guidelines of Cornerstone 2020 Plan Elements support the listed recommendations contained in the Mockingbird Valley Neighborhood Plan. (See plan document for specific language of each recommendation.)

Guideline 1 Community Form/Land Use

Cornerstone 2020/LDC: LU 1, 9

Guideline 3 Compatibility

Cornerstone 2020/LDC: LU 1, 2, 3, 9, 10, 11, 12, 13
Infrastructure and Capital Improvements: M2, 8, 9

Guideline 4 Open Space

Cornerstone 2020/LDC: LU 13
Infrastructure and Capital Improvements: M3, 4

Guideline 5 Natural Areas and Scenic and Historic Resources

Cornerstone 2020/LDC: LU 13
Infrastructure and Capital Improvements: M5, 6; H1
Policy and Program: H1, 2, 3

Guideline 7: Circulation

Cornerstone 2020/LDC: LU 11

Guideline 8: Transportation Facility Design

Cornerstone 2020/LDC: M1; H1
Infrastructure and Capital Improvements: M1, 8, 9, 11-14

Guideline 9: Bicycle, Pedestrian and Transit

Infrastructure and Capital Improvements: M3, 4

Guideline 10: Flooding and Stormwater

Infrastructure and Capital Improvements: LU1

Guideline 11: Water Quality

Cornerstone 2020/LDC: LU11

Guideline 13: Landscape Character

Cornerstone 2020/LDC: LU 4-8, 13

Guideline 14: Infrastructure

Policy and Program: LU1

Attached Documents / Information

Attached is the comprehensive plan guidelines discussed within the staff findings.

Notification

This request was noticed in accordance with KRS 100 requirements. Staff also informed those parties specifically interested in this neighborhood plan as well as registered neighborhood groups.